

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: STEIN=11

In re Application of:)	Confirmation No. 5701
)	
Shai STEIN et al.)	Art Unit: 2617
)	
Appln. No.: 10/587,931)	Examiner: Michael Y. Mapa
)	
Filed: August 2, 2006)	
)	
For: SUPPORTING MOBILE)	
COMMUNICATIONS SESSION...)	

**DECLARATION IN SUPPORT OF INVENTORS' DECLARATION
UNDER 37 CFR 1.131**

I, Moredechay Morgentsern, declare and state the following:

I am an Engineer, employed by ECI Telecom Ltd. (hereinafter ECI), Petach Tikva, Israel, where I presently hold the position of a System Architecture Leader of Access Line of Business of the Network Solutions Division and am one of the inventors of the above-identified U.S. application.

All of the activities discussed below took place in the State of Israel subsequent to January 1, 1996.

During the period of February 12 to April 1, 2004, I held the position of Senior Systems Engineer with responsibility for developing embedded system management models. I was active in R & D and was responsible for preparation, checking and revising technical documentation for various projects of the Broadband Access Division of ECI. During that period, I was heavily engaged in a number of projects, including review and commenting on two Israeli patent applications that were given the internal designations "A036" and "A037". I am a joint inventor in each of those applications, which are directed

to closely related inventions. At that time, ECI considered that the A037 application had a slightly higher priority. The above-identified U.S. application claims priority from the A036 application. On information and belief, the U.S. patent publication of the application claiming the benefit of the A037 application is U.S. Pat. Pub. 2007/0121576.

Prior to February 12, 2004, I received drafts of the A036 and the A037 applications. Copies of those draft applications are submitted herewith as Exhibits E (A036) and G (A037), respectively. The e-mails forwarding them to me are submitted herewith as Exhibits D and F, respectively. The dates on the e-mails of Exhibits D and F have been redacted, but they are both prior to February 12, 2004.

During the period of February 12 to February 18, 2004, I reviewed the draft of the A037 application (Exhibit G), which I forwarded to co-inventor Shai Stein on February 16, 2004, as evidenced by an e-mail dated February 16, 2004, a copy of which is submitted herewith as Exhibit I, and I was engaged in review and revision of a design for a project identified as ADSL2 MIB, as evidenced by an e-mail dated February 19, 2004, a copy of which is submitted herewith as exhibit K. ADSL2 MIB is unrelated to A036 and A037, but also had a high priority within ECI.

Also, on February 19, 2004, I, along with co-inventor Shai Stein, met with Mr. Gil Ingel, then VP Intellectual Property of ECI, and Ms. Helena Levin, a Patent Attorney with ECI, to discuss the draft of the A036 application, during which various revisions were discussed.

Also, during the period up to February 19, 2004, I reviewed the A037 application and on February 19, 2004, I sent an e-mail to Ms. Levin providing information for revision of the A037 application. A copy of that e-mail is submitted herewith as Exhibit L.

On February 22, 2004, I received a revised draft of the A037 application as an attachment to an e-mail of that date from Ms. Levin. The e-mail and attachment are submitted herewith as Exhibits M and N, respectively.

On February 23, 2004, I sent an e-mail to Ms. Levin providing details regarding inventors' names and the order in which the inventors should be listed in the A037 application. A copy of that e-mail is submitted herewith as Exhibit O.

On February 26, 2004, I received an e-mail from Ms. Helena Levin attaching a final draft of the A-37 application. The e-mail and attachment are submitted herewith as Exhibits P and Q, respectively.

I reviewed Exhibit Q and gave final approval for filing. On information and belief, the A037 application was filed in Israel on March 1, 2004.

On March 1, 2004, I received a revised draft of the A036 application via e-mail from Ms. Levin. A copy of that e-mail is submitted herewith as Exhibit S and a copy of that draft is submitted herewith as Exhibit T.

Between March 1 and 17, 2004, I reviewed that draft whenever time permitted, although I was, during that period, engaged in a number of other matters. These included the activities that will be described in the following paragraphs.

Between March 1 and 5, 2004, I was required to travel to Belgium on a business matter, as evidenced by an Account Report for Travel, submitted herewith as Exhibit U.

On March 2 and 3, 2004, while on travel, a substantial part of each day was occupied with discussions relating to certain DSL network projects, unrelated to the patent application, as evidenced by an e-mail dated March 3, 2004, a copy of which is submitted herewith as Exhibit V.

During a period up to March 9, 2004, I continued to work on the ADSL2 MIB project, as evidenced by an e-mail dated March 8, 2004, a copy of which is submitted herewith as exhibit W, and on a project entitled VM V 1.5, as evidenced by an e-mail dated March 9, 2004, a copy of which is submitted herewith as exhibit X. VM V 1.5 is another project unrelated to A036 and A037, but which also had a very high priority for ECI.

During the period up to March 15, 2004, I was involved in work and meetings relating to an NI card project, as evidenced by an e-mail dated March 15, 2004, a copy of which is submitted here with as Exhibit Y. The NI card project is a project unrelated to A036 and A037, but which also had a very high priority for ECI.

On March 17, 2004, I, along with co-inventor Shai Stein, met with Mr. Gil Ingel and Ms. Helena Levin to discuss a revised draft of the A036 application, during which various further revisions were discussed.

On March 22, 2004, I received from Ms. Levin, as an e-mail attachment, a further draft of the A036 application. A copy of that e-mail and the attachment are submitted herewith as Exhibits Z and AA, respectively.

Between March 22 and 25, 2004, I reviewed that draft and prepared a paper providing additional disclosure information. On March 25, 2004, I sent the additional disclosure information to be included in the A036 application to Ms. Levin as an e-mail attachment. A copy of that e-mail and the attachment are submitted herewith as Exhibits AB and AC, respectively.

On March 28, 2004, I received from Ms. Levin a further draft of the A036 application, which I reviewed between March 28 and March 30, 2004. A copy of that e-mail is submitted herewith as Exhibit AD and a copy of that draft is submitted herewith as Exhibit AE.

On March 30, 2004, I had a further meeting with Ms. Levin, during which further revisions were discussed. Ms. Levin subsequently sent me a final drat of the

application as an attachment to an e-mail dated March 30, 2004. The e-mail and attachment are submitted herewith as Exhibits AF and AG, respectively. I then approved the application for filing and, on information and belief, it was filed in the Israeli Patent Office on April 1, 2004.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date 7.12.2009



Moredechai Morgenstern